

Docket No.: 50179-080

PCT

#14
9-2lg-01
NW

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Himanshu N. BRAHMBHATT, et al.

Serial No.: 09/530,772

Filed: June 30, 2000

For: SUICIDE EXPRESSION VECTOR FOR USE IN VACCINE STRAINS



Group Art Unit:

Examiner: Paula McCray

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TECH CENTER 1600/2900

Commissioner for Patents
Washington, DC 20231

Sir:

The above-referenced patent application was filed in the U.S. Patent and Trademark Office on May 4, 2000, as evidenced by the attached copies of the return receipt postcard and Transmittal Letter. To date, the undersigned has not received an official Filing Receipt regarding this application. It is respectfully requested that the undersigned be furnished with an official Filing Receipt as soon as possible.

Respectfully submitted,

MCDERMOTT, WILL & EMERY


Robert L. Price
Registration No. 22,685

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Date: March 12, 2001
Facsimile: (202) 756-8087

Applicant: Hirsch, Bishambhatta Docket No. 5079-080 09/5/01
Title/Mark: Suicide Expression Serial/Reg./Patent _____

Date Sent: 5/5/01 Hand Carried 1st-Class Mail Cert. of Mailing Express Mail No. _____

Transmittal Letter
 Utility/Design/Continuation/CIP/FWC/Divisional/PCT
 Other: National Phase

13 pages of Specification
13 pages of Claims
11 pages of Abstract
11 pages of Formal/Informal Drawings
 Information Disclosure Statement
Form PTO 1449
5 copies of cited references

Preliminary Amendment
 Response to Missing Parts Notice
 Certified Copy of Priority Doc.
 Claim for Convention Priority
 Verified Statement of Small Entity Status
 Transmittal of Issue Fee: Form PTO 85b _____ Form PTO 85C _____
 Maintenance Fee for _____ years after grant
 Notice of Appeal Appeal Brief
 Recordation of _____ Patent _____ Trademark: Assignments/Security Agreements/
 Response/Amendment to Office Action of _____ Petition to Commissioner for _____

Trademark/Service Mark/Intent-To-Use Application
 Amendment to Allege Use Statement of Use
 Formal/Informal/Substitute Drawing Sheet
(no. of) Substitute/Specimens
 Continued Use Affidavit/Declaration (Section 8 & 15)
 Notice of Opposition/Answer to _____
 Ex Parte Appeal
 Petition for Cancellation/ Answer to _____
 Renewal of Reg. No. _____
 Combined Declaration/Power of Attorney
 Letter of Protest
 Request for _____ day/month Extension of Time

I J 2
B A
Other: _____

Check for \$ _____ Total Deposit Account charge for \$ 1100 Attorney: R.L.P. d/c
Acct # 500417 CHI WASH

Early Settlement
S, CHECKED ABOVE, WERE RECEIVED BY THE PTO ON THE DATE STAMPED.

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50179-080

U.S. APPLIC. NO. (if known, see 37 CFR 1.5)

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371**

INTERNATIONAL APPLICATION NO.	INTERNATIONAL FILING DATE	PRIORITY DATE CLAIMED
PCT/AU98/00930	November 6, 1998	November 6, 1997

TITLE OF INVENTION

SUICIDE EXPRESSION VECTOR FOR VACCINE STRAINS

APPLICANT(S) FOR DO/EO/US

Himanshu N. BRAHMBHATT, Robert B. SEYMOUR, Peter H. BIRD, and Mark P. BRADLEY

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. has been transmitted by the International Bureau.
 - c. is not required, as the application was filed in the United States Receiving Office (RO/US)
6. A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. have been transmitted by the International Bureau.
 - c. have not been made; however, the time limit for making such amendment has NOT expired.
 - d. have not been made and will not be made.
8. A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. to 16. below concern other document(s) or information included:

11. An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. A **FIRST** preliminary amendment.
 A **SECOND** or **SUBSEQUENT** preliminary amendment.
14. A substitute specification.
15. A change of power of attorney and/or address letter.
16. Other items or information.
 1. Copy of Published International Application
 2. International Search Report by Australian Patent Office
 3. International Preliminary Examination Report

U.S. APPLIC. NO. (if known, see 37 CFR 1.50)		INTERNATIONAL APPLICATION NO.		ATTORNEY'S DOCKET NUMBER	
		PCT/AU98/00930		50179-080	
				CALCULATIONS	PTO USE ONLY
17. <input checked="" type="checkbox"/> The following fees are submitted: Basic National Fee (37 CFR 1.492(a)(1)-(5)): Search Report has been prepared by the EPO or JPO \$840.00 International preliminary examination fee paid to USPTO (37 CFR 1.482) No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2)) \$670.00 \$690.00 Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$970.00 International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4) \$96.00					
ENTER APPROPRIATE BASIC FEE AMOUNT =				\$ 970.00	
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$ 130.00	
Claims	Number Filed	Number Extra	Rate		
Total Claims	19 -20 =	0	x \$18.00	\$	
Independent Claims	1 -3 =	0	x \$78.00	\$	
Multiple dependent claim(s) (if applicable)			+ \$260.00	\$	
TOTAL OF ABOVE CALCULATIONS =				\$ 1100.00	
Reduction by 1/2 for filing by small entity, if applicable. Verified Small Entity Statement must also be filed. (Note 37 CFR 1.9, 1.27, 1.28).				\$	
TOTAL NATIONAL FEE =				\$ 1100.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +				\$	
TOTAL FEES ENCLOSED =				\$ 1100.00	
				Amount to be: refunded	\$
				charged	\$
a. <input type="checkbox"/>	A check in the amount of \$ _____ to cover the above fees is enclosed.				
b. <input checked="" type="checkbox"/>	Please charge my Deposit Account No. <u>500417</u> in the amount of \$ <u>1100.00</u> to cover the above fees. A duplicate copy of this sheet is enclosed.				
c. <input checked="" type="checkbox"/>	The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>500417</u> . A duplicate copy of this sheet is enclosed.				
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.					
SEND ALL CORRESPONDENCE TO:			SIGNATURE	<i>Robert L. Price</i>	
McDERMOTT, WILL & EMERY			NAME		
600 13 th Street, N.W.			22,685		
Washington, DC 20005-3096			REGISTRATION NUMBER		
(202) 756-8000			May 4, 2000		
Facsimile (202) 756-8087			DATE		